

### REMARKS

Claims 1-40, 42-46 and 48-52 are currently pending in the subject application and are presently under consideration.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

#### **I. Rejection of Claims 1-22, 26, 28-40, 42-44, 46 and 48-52 Under 35 U.S.C. §102(b)**

Claims 1-22, 26, 28-40, 42-44, 46 and 48-52 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hsu, *et al.* (US 5,581,691). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Hsu *et al.* fails to disclose all features of the claimed invention.

A single prior art reference anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim.*** *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ***The identical invention must be shown in as complete detail as is contained in the ... claim.*** *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicants' claimed invention relates to effective utilization of system resources in long running workflow transactions. To this end, independent claim 1 recites *a method of processing a workflow action within a schedule and having a latency attribute associated therewith, comprising initiating a workflow action, comparing a latency attribute with a latency threshold, and selectively storing data associated with a schedule in a storage medium based on the latency comparison.* Claims 11, 30, and 32 recite similar limitations. Hsu *et al.* fails to disclose such claimed aspects.

Hsu *et al.* is directed towards a workflow management system and method for executing and tracking the progress of long running work flows and for recovering from system failures during the execution of long running work flows. At page 3 of the Final Office Action, the

Examiner contends that Hsu *et al.* teaches comparing a latency attribute with a latency threshold, and selectively storing data associated with a schedule in a storage medium based on the latency comparison. Applicants' representative disagrees. In accordance with the claimed invention, the system processes a workflow action within a schedule, where the workflow action has a latency attribute associated with it. The latency attribute is compared with a pre-determined latency threshold, and based on this comparison the system stores the schedule state information in a storage medium. On the contrary, at the cited portions, Hsu *et al.* teaches a timeout duration value that indicates a maximum amount of time allotted for executing a step in a workflow, on exceeding that duration the step will timeout and its status marked as timeout. Once a timeout occurs, a compensation routine can be called or a history inspector module can reassign that step. The cited reference also teaches a flow controller that stores the results of each step in a workflow. This storage is done for all steps in the work flow and used for system crash recovery and status monitoring. Nowhere does Hsu *et al.* teach ***selectively storing data associated with a schedule in a storage medium based on the latency comparison*** as recited in the subject claims.

Independent claim 40 recites *recognizing a transaction boundary associated with a transaction and selectively compensating at least a first workflow action according to the transaction boundary and a compensation parameter based on abortion of a second workflow action*. Independent claim 46 recites similar limitations. Hsu *et al.* fails to disclose such claimed aspects. At the cited portions, Hsu *et al.* teaches a step in a workflow, a flow controller that stores the results of each step and a compensation routine that is called when a step fails. The compensation routine does system recovery for that step and all the steps preceding that step. As each step in a workflow is a transaction, the compensation is done for all steps in the workflow preceding the aborted step, and thus it is irrespective of transaction boundary. Thus, Hsu *et al.* is silent regarding ***selectively compensating at least a first workflow action according to the transaction boundary and a compensation parameter based on abortion of a second workflow action*** as recited by applicants' subject claims.

Independent claims 51, and 52 recite ***if the action state is aborted, and if the workflow action and transaction are related according to the transaction boundary, determining the transaction state of the transaction and if the action state is aborted, and if the workflow action and the transaction are related according to the transaction boundary, and if the transaction state is committed, performing an operation according to the compensation routine associated***

*with the transaction.* Hsu *et al.* fails to disclose such claimed aspects. At the cited portions, Hsu *et al.* teaches a compensation routine called when a step in a work flow is given a timeout or aborted status. The compensation routine performs system recovery for that step and all the preceding steps in that work flow. Hsu *et al.* is silent regarding recite ***if the action state is aborted, and if the workflow action and transaction are related according to the transaction boundary, determining the transaction state of the transaction*** let alone *if the workflow action and the transaction are related according to the transaction boundary, and if the transaction state is committed, performing an operation according to the compensation routine associated with the transaction* as recited by applicants' subject claims.

In view of at least the foregoing it is readily apparent that Hsu *et al.* does not teach the identical invention in as complete detail as is contained in independent claims 1, 11, 30, 32, 40, 42, 46, 51 and 52 (and the claims that depend from). Accordingly, this rejection should be withdrawn.

## **II. Rejection of Claims 23-25, 27 and 45 Under 35 U.S.C. §103(a)**

Claims 23-25, 27 and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hsu, *et al.* (US 5,581,691). This rejection should be withdrawn for at least the following reasons. As previously discussed, Hsu *et al.* fails to disclose all limitations of independent claims 11 and 32 (from which claims 23-25, 27 and 45 depend). Therefore this rejection should be withdrawn.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP105USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731